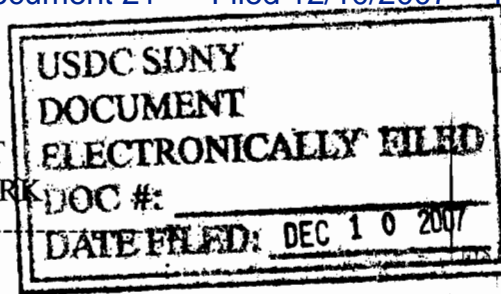


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



DEC 5 - 2007

THE PEOPLE OF THE STATE OF NEW YORK
by ANDREW M. CUOMO, Attorney General of
the State of New York,

Plaintiff,

-against-

FIRST AMERICAN CORPORATION and
FIRST AMERICAN EAPPRAISEIT,

Defendants.

ECF Case

07 Civ. 10397 (LTS) (HBP)

PROPOSED *fr*
STIPULATION AND ORDER

WHEREAS, on November 1, 2007, Plaintiff filed this lawsuit in New York State Supreme Court, New York County, pursuant to New York Executive Law § 63(12), New York General Business Law Article 22-A, and New York common law;

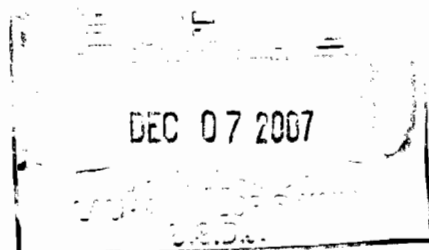
WHEREAS, on November 16, 2007, Defendants removed the state proceeding to this Court, pursuant to 28 U.S.C. §§ 1441 and 1446;

WHEREAS, on November 26, 2007, Defendants filed a motion to dismiss this lawsuit, pursuant Federal Rule of Civil Procedure 12(b)(6) (the "Motion to Dismiss");

WHEREAS, on December 3, 2007, Plaintiff filed a motion to remand this lawsuit to the Supreme Court of New York, New York County, pursuant to 28 U.S.C. § 1447 (the "Motion to Remand");

IT IS HEREBY STIPULATED AND AGREED, by and between the parties that:

1. Plaintiff's memorandum of law in opposition to the Motion to Dismiss and Defendants' memorandum of law in opposition to the Motion to Remand shall be filed and served




on adversary counsel on or before January 23, 2008.

2. Plaintiff's reply memorandum of law in support of the Motion to Remand and Defendants' reply memorandum of law in support of the Motion to Dismiss shall be filed and served on adversary counsel on or before February 6, 2008.

Dated: New York, New York
December 5, 2007

ANDREW M. CUOMO
Attorney General of the State of New York
Attorney for Plaintiff


By:


NICOLE GUERON (NG-7682)
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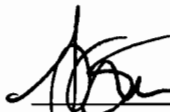
Dated: New York, New York
December 5, 2007

THACHER PROFFITT & WOOD LLP
Attorneys for Defendants

By:


RICHARD F. HANS
Two World Trade Center
New York, New York 10281
Tel: (212) 912-7400
rhans@tpw.com

IT IS SO ORDERED.

 12/7/2007
Hon. Laura Taylor Swain, U.S.D.J.